

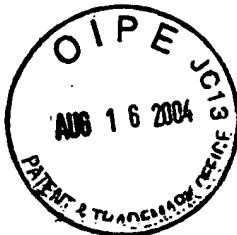


UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/820,340	04/08/2004	Christopher Busuito	BUS-001

Law Office of Timothy M. Barlow
P.O. Box 64775
Tucson, AZ 85728-4775



CONFIRMATION NO. 8152

FORMALITIES LETTER



OC000000013451844

Date Mailed: 08/05/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) **3 & 11** of the specification (description and claims). 08/17/2004 BSNYAS11 00000020 10820340
01 FC:1460 130.00 OP

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required.

A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Busuito

EXAMINER:

SERIAL NO.: 10/820,340

GROUP:

FILED: April 8, 2004

CASE NO.: BUS-001

ENTITLED: "Portable Sports Equipment Holder"

Law Office of Timothy M. Barlow
P.O. Box 64775
Tucson, Arizona 85728-4775

August 11, 2004

APPLICATION FILED UNDER 37 CFR 1.53(b)

Mail Stop Missing Parts
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Notice of Omitted Item(s) in a Nonprovisional Application, dated August 8, 2004, stating that pages 3 and 11 were omitted from the application. The applicant hereby submits replacement pages 3 and 11 as they were originally submitted on April 8, 2004, along with the petition fee under 37 CFR 1.17(h).

The applicant submits a copy of the date-stamped, itemized postcard receipt that was submitted with the original application. The postcard shows that 11 pages of Specification were received with the original filing. In addition, an Abstract, 4 pages of Claims and 4 pages of Drawings were submitted at that time.

Very Respectfully,


Timothy M. Barlow, Registration Number 50, 018
Attorney for Applicant

Certificate of Mailing

I certify that this correspondence was submitted with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to: Mail Stop Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

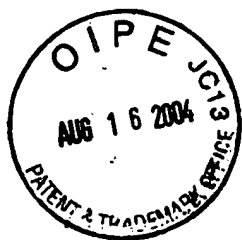
Date 11 August 2004

Timothy M. Barlow 

08/17/2004 BSAYAS11-00000020-10820340-

01-FG-1460-

130-00-0P-



PORTABLE SPORTS EQUIPMENT HOLDER BUS-001

FILING DATE APRIL 8, 2004

SPECIFICATION 11 PAGES WITH ABSTRACT

20 CLAIMS ON 4 PAGES

CHECK NO. 1142 FOR \$ 385.00

4 DRAWINGS ON 4 PAGES

DECLARATION PTO/SB/01

POWER OF ATTORNEY PTO/SB/81

INFORMATION DISCLOSURE STATEMENT PTO/SB/08A

UTILITY PATENT APPLICATION TRANSMITTAL PTO/SB/05

FEE TRANSMITTAL PTO/SB/17

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